

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF ILLINOIS
 EASTERN DIVISION

SOO LINE RAILROAD CO.)
d/b/a CANADIAN PACIFIC RAILWAY)
)
Plaintiff,)
) Civil Action No. 08-CV-1813
v.) Judge Der-Yeghiayan
) Magistrate Judge Cox
)
BROTHERHOOD OF MAINTENANCE OF WAY)
EMPLOYES DIVISION OF THE INTERNATIONAL)
BROTHERHOOD OF TEAMSTERS)
)
Defendant.)
)

**UNOPPOSED MOTION FOR POSTPONEMENT OF STATUS HEARING
 AND STATEMENT IN SUPPORT THEREOF**

The Brotherhood of Maintenance of Way Employes Division/IBT (“BMWED ” or “Union”) hereby moves the Court for a postponement of the status hearing currently scheduled for August 27, 2008 to a time between September 9 and 11, 2008, or during the week of September 15, 2008. BMWED respectfully requests this postponement because its lead counsel, Richard S. Edelman is scheduled to attend a settlement conference in Indianapolis on September 27, 2008 in a bankruptcy case (*ATA Airlines*, Case No. 08-03675-BHL); the settlement conference will involve multiple parties and cannot be rescheduled. Additionally, Mr. Edelman will be in New Orleans on September 2, 2008 for oral argument in *Burlington Northern Santa Fe Ry v. BMWED* (5th Cir. No. 07-11251), and will be participating in a mediation ordered by the Third Circuit on the morning of September 8, 2008 in *Opsatnik v Norfolk Southern Ry. and*

Brotherhood of Locomotive Engineers and Trainmen, (3rd Cir. No. 08-2177); Mr. Edelman is also unavailable on September 12 because of a medical appointment that has already been rescheduled; and local counsel is unavailable the week of September 8. BMWED therefore requests that the status hearing in this case be rescheduled for the week of September 15, 2008.

Counsel for BMWED has contacted counsel for plaintiff Soo Line Railroad Co. ("Soo"). Soo, and counsel for the Soo has authorized counsel for BMWED to represent that the Soo does not object to this postponement.

For all the foregoing reasons, BMWED respectfully requests that this motion be granted and that the status hearing scheduled for August 27 be postponed and rescheduled on a date during the week of September 15, 2008.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2008, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this document through the Court's system.

s/ William L. Phillips